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09/411,125	10/04/1999	GLEN A. BOUCHER	E-909	7876

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PITNEY BOWES INC.  
35 WATERVIEW DRIVE  
P.O. BOX 3000  
MSC 26-22  
SHELTON, CT 06484-8000

EXAMINER

CHARLES, DEBRA F

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/411,125

Applicant(s)

BOUCHER ET AL.

Examiner

Debra F. Charles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

In view of the appeal brief filed on 12 August 2003, prosecution is hereby reopened. Any inconvenience is regretted. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111(if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If the reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "31" has been used to designate both begin shipping in Fig. 2 and browser in Fig. 3, reference character "32" has been used to designate both rate package in Fig. 2 and origin map in Figs. 4, 5A, 9A, reference character "40" has been used to designate both record payment in Fig. 2 and token map in Figs. 4 and 5A, reference character "42" has been used to designate both print labels in Fig. 2 and zone map in Fig. 4 and the letter "a" under zone map in 5A, reference character "44" has been used to designate both record data package in Fig. 2 and commitment matrix in Figs. 4 and 5A, reference character "48" has been used to designate both generate e-

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mail request in Fig. 2 and SVC-LEVEL in Fig. 5B, reference character "49" has been used to designate both shipment complete in Fig. 2 and SVC-TEXT in Fig. 5B, reference character "50" has been used to designate N and two different sets of boxes in the Delivery Commitment Matrix in Fig. 5B. Use consistent numbering throughout the drawings to show different objects with different numbers. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-6 and 11-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claims 1 and 11 recite the limitation "the service level" line 5, "delivery commitment information" in line 12, "specified cell" in line 14, "service column index values" in line 9, and "class of service" in line 11; claim 3 recites the limitation "verified delivery commitment information" in line 2, and "selected carrier" and "selected service" in line 4; claim 4 recites the limitation "carrier information" in line 3; claim 5 recites the limitation "such location" in line 3; claim 8 recites the limitation "desired carrier" in line 3

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and "specified carrier" in line 4 on page 12 of the appellants' brief filed 12 August 2003; claim 13 recites the limitation "real-time clock" line 1 and "pre-determined cut-off time" in line 3; claim 14 recites the limitation "destination map" in line 2; claim 17 recites the limitation "zone" in line 3, and "zone map matrix" in line 9, claim 18 recites the limitation "carrier specific designation map" in line 5, "delivery commitment map" in line 7; and claim 20 recites the limitation "origin dependent delivery commitment information" in line 3. There is insufficient antecedent basis for this limitation in the claim.

4. Dependent claims are rejected for incorporating the defects from the parent claim by dependency.

#### ***Claim Objections***

5. Claims 16, 18 and 20 are objected to because of the following informalities: claims 16 and 18 are method claims that depend on a system claim and claim 20 is a system claim that depends on a method claim. Dependent claims of system claims must be system claims and dependent claims of method claims must be method claims. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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Claims 1-10 are rejected under 35 U.S.C. 101 because the bodies of the claims do not recite technology, i.e. computer implementation or any other technology. *In re Toma*, 197 USPQ 852 (CCPA 1978). *Ex parte Bowman* 61 USPQ2D 1669.

For a claim to be statutory under 35 USC 101 the following two conditions must be met:

1) In the claim, the practical application of an algorithm or idea results in a useful, concrete, tangible result,

AND

2) The claim provides a limitation in the technological arts that enables a useful, concrete, tangible result.

As to the technology requirement, note MPEP Section IV 2(b). Also note *In re Waldbaum*, 173USPQ 430 (CCPA 1972) which teaches “useful arts” is synonymous with “technological arts”. In *Musgrave*, 167USPQ 280 (CCPA 1970), *In re Johnston*, 183USPQ 172 (CCPA 1974), and *In re Toma*, 197USPQ 852 (CCPA 1978), all teach a technological requirement.

In *State Street*, “in the technological arts” was never an issue. The invention in the body of the claim must recite technology. If the invention in the body of the claim is not tied to technological art, environment, or machine, the claim is not statutory. *Ex parte Bowman* 61USPQ2d 1665, 1671 (BD. Pat. App. & Inter. 2001) (Unpublished).

7. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention lacks patentable utility. The invention generates a numerical output, but does not

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indicate to what use the output is applied. Thus, the claims merely recite an abstraction with no explained utility.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al.(U.S. PAT. 5631827A) in view of Demers et al. (U.S. PAT. 6105018A) and Desiraju et al. (U.S. PAT. 6243613B1).

Re claims 1 and 7: Nicholls et al. disclose a method for determining carrier specific commitment data for the shipment of a package from an origin to a destination by a carrier(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67), comprising the steps of:

determining the destination area for the package based upon its intended

destination(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67),

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determining the service level supported by the carrier for the destination area(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67),

determining a desired class of service for a package with respect to its delivery by the carrier(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67),

based upon the determined class of service for the package(col. 7, lines 45-col. 8, line 45),

based upon the service level supported by the carrier for the destination area and the class of service desired, wherein the delivery commitment information for that carrier for the specified service level and class of service desired(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67), and

reading said delivery commitment information(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67).

Nicholls et al. do not explicitly disclose determining a service column index value, locating a cell in a delivery commitment matrix, each cell contains information or specified cell. However, in Abstract of Demers et al. and Fig. 5, 10, 11a, 12, col. 1, line 10-20, col. 3, lines 34-45, and lines 60-col. 4, lines 1-7, col. 11, lines 30-45, col. 12, lines 50-60, col. 18, lines 40-col. 19, line 5, col. 19, lines 55-65, thereof, Demers et al. disclose column index value, matrix, table and cell in the matrix. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Demers et al. The motivation to combine these references is a table is a matrix. A table with various shipping and delivery commitment data items has



a service column index value to enable the database table to quickly locate relevant data. That the index value is composed of other table cell values makes the index value unique. This ensures the index value's benefit as a fast way of locating data on complex, matrix tables. Further, as indicated in Desiraju et al. in the Abstract, col. 1, lines 15-35, col. 2, lines 35-50, col. 3, lines 5-40, col. 4, lines 40-52, col. 6, lines 25-65 and col. 8, line 15-col. 10, line 65 thereof, the concept of using three-dimensional space to organize and combine data for analysis and just-in-time delivery computation is well known in the shipping arts as factor optimization whereby various factors are assembled to compute the appropriate or optimal result. It would be obvious to one of ordinary skill in the art at the time of the invention to use a matrix table to determine the index value drawn from the matrix table cell contents in order to gain the advantage of using multiple factors to calculate optimal delivery commitment information.

Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al.(U.S. PAT. 5631827A) in view of Demers et al. (U.S. PAT. 6105018A) and Desiraju et al. (U.S. PAT. 6243613B1).

Re claims 1 and 7: Nicholls et al. disclose a system for determining carrier specific commitment data for the shipment of a package from an origin to a destination by a carrier(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67), comprising the steps of:  
  
means for determining the destination area for the package based upon its intended destination(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67),

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means for determining the service level supported by the carrier for the destination area(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67),

means for determining a desired class of service for a package with respect to its delivery by the carrier(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67),

means, based upon the determined class of service for the package(col. 7, lines 45-col. 8, line 45),

means, based upon the service level supported by the carrier for the destination area and the class of service desired, wherein the delivery commitment information for that carrier for the specified service level and class of service desired(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67), and

means for reading said delivery commitment information(col. 7, lines 45-col. 8, line 45, col. 10 lines 25-67).

Nicholls et al. do not explicitly disclose determining a service column index value, locating a cell in a delivery commitment matrix, each cell contains information or specified cell. However, in Abstract of Demers et al. and Fig. 5, 10,11a,12, col. 1, line 10-20, col. 3, lines 34-45, and lines 60-col. 4,lines 1-7, col. 11, lines 30-45, col. 12, lines 50-60, col. 18, lines 40-col. 19, line 5, col. 19, lines 55-65, thereof, Demers et al. disclose column index value, matrix, table and cell in the matrix. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Demers et al. The motivation to combine these references is a table is a matrix. A table with various shipping and delivery commitment data items has

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a service column index value to enable the database table to quickly locate relevant data. That the index value is composed of other table cell values makes the index value unique. This ensures the index value's benefit as a fast way of locating data on complex, matrix tables. Further, as indicated in Desiraju et al. in the Abstract, col. 1, lines 15-35, col. 2, lines 35-50, col. 3, lines 5-40, col. 4, lines 40-52, col. 6, lines 25-65 and col. 8, line 15-col. 10, line 65 thereof, the concept of using three-dimensional space to organize and combine data for analysis and just-in-time delivery computation is well known in the shipping arts as factor optimization whereby various factors are assembled to compute the appropriate or optimal result. It would be obvious to one of ordinary skill in the art at the time of the invention to use a matrix table to determine the index value drawn from the matrix table cell contents in order to gain the advantage of using multiple factors to calculate optimal delivery commitment information.

10. Claims 2, 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al. in view of Demers et al. and Desiraju et al. as applied to claims 1, 11 and 17 above, and further in view of Kucukcakar et al. (U.S. PAT. 5533179A).

Re claims 2, 12 and 18: Nicholls et al. does not explicitly disclose(s) wherein information is maintained in a token map. However, in Abstract and Fig. 1, col. 4, lines 15-35 thereof, Kucukcakar et al. disclose(s) token map and assigning a token for each element of a computer programming statement element. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Kucukcakar et al. The motivation to combine these references is while Nicholls et al. discusses tokens as a method to transmit messages, Kucukcakar

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et al. discusses the use of a token map to hold data. Thus, data such as index values and class of service are data items organizable into a token map arrangement.

11. Claims 3, 9, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al., Demers et al. and Desiraju et al. as applied to claims 1, 7, 11 and 17 above, and further in view of Kara (U.S. PAT. 5812991A).

Re claims 3, 9, 13 and 19: Nicholls et al. disclose if said verified delivery commitment information is at a time later than a pre-determined cut-off time, then posting a notification of said later time and determining whether or not said selected carrier and/or said selected service is to be maintained or whether an alternative carrier and/or alternative service is to be selected(col. 7, line 45-col. 8, line 45).

Nicholls et al. does not explicitly disclose(s) verified relative to a real time clock.

However, in col. 15, lines 20-25 thereof, Kara disclose(s) a processor that verifies data via an internal real time clock. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Kara. The motivation to combine these references is Kara is mailing and postage metering system and thus, is within the shipping and mailing equipment art as is the inventor's invention, and real time clocks are a part of computer systems since they maintain synchronization throughout the computer and database table.

12. Claims 4, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al. in view of Demers et al., Desiraju et al. and Kucukcakar et al. as applied to claim 2 above, and further in view of Wilz, Sr. et al. (U.S. PAT. 6510997B1).

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Re claims 4,5 and 6: Nicholls et al. disclose wherein service levels supported by a carrier are maintained in, wherein for each destination area supported by the carrier information is stored related to the service level supported by the carrier for that destination area(col. 7, line 45-col. 8, line 45).

Re claims 4,5 and 6: Nicholls et al. does not explicitly disclose(s) a destination map, postal ZIP code, and null code representing areas not served by the carrier. However, in col. 5, lines 60-67, col. 6, line 1-10, col. 26, line 65-col. 27, line 40 thereof, Wilz, Sr. et al. disclose(s) zip code and destination and maps as well as information fields in a table which is a matrix and is also a map. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Wilz, Sr. et al. The motivation to combine these references is a destination information field contains destination data and the zip code field stores zip data that compose the destination information delivery instructions and this is a mapped tabled structure. Although neither Wilz, Sr. et al. nor Nicholls et al. disclose null code, however, this is well known in the database art. It would be obvious to one of ordinary skill in the art at the time of the invention to include null codes as placeholders within a table in a database when there is no other value to place in the field. This enables the database table to work correctly.

13. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al. in view of Demers et al. and Desiraju et al. as applied to claim 7 above, and further in view of Kucukcakar et al. and Wilz, Sr. et al.

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Re claim 8: Nicholls et al. disclose determining the desired carrier from a plurality of carriers and based upon the determined carrier assigning a code related to the service level supported by that carrier for a specific destination area for all destinations supported by that carrier and delivery commitment map contain specific information for the delivery commitment for that carrier so as to determine delivery commitment information which is specific for the specified carrier(col. 4, lines 40-65, col. 7, line 45-col. 8, line 45, col. 10, line 25-67, where "map" is a table).

Nicholls et al. does not explicitly disclose(s) a destination map or information is maintained in a token map. However, in col. 5, lines 60-67, col. 6, line 1-10, col. 26, line 65-col. 27, line 40 thereof, Wilz, Sr. et al. disclose(s) zip code and destination and maps as well as information fields in a table which is a matrix and is also a map. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Wilz, Sr. et al. The motivation to combine these references is a destination information field contains destination data that compose the destination information delivery instructions and this is a mapped tabled structure. Further, in Abstract and Fig. 1, col. 4, lines 15-35 thereof, Kucukcakar et al. disclose(s) token map and assigning a token for each element of a computer programming statement element. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Kucukcakar et al. The motivation to combine these references is while Nicholls et al. discusses tokens as a method to transmit messages, Kucukcakar et al. discusses the

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use of a token map to hold data. Thus, data such as index values and class of service are data items organizable into a token map arrangement.

14. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al. in view of Demers et al., Desiraju et al., Kucukcakar et al. and Wilz, Sr. et al. as applied to claim 8 above, and further in view of Wojcik et al.(U.S. PAT. 5758329A).

Re claim 10: Nicholls et al. does not explicitly disclose(s) origin dependent delivery commitment information and wherein a separate destination map is provided for each origin dependent delivery commitment for that carrier, wherein each delivery map has assigned a code related to the service level supported by that carrier for each destination area supported by that carrier, and further comprising the step of determining the origin area of the package based upon its origin and determining the code associated with that origin area representing the origin dependent delivery commitment for that carrier for that origin and using this information to access a corresponding destination map associated with the value in the origin area for determining the service level supported by the carrier for the destination area based upon the origin area. However, in Claims 1-19, col. 8, line 55-col. 10, line 40 thereof, Wojcik et al. disclose(s) origin and delivery commitment data. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al., Demers et al. and Desiraju et al. by adopting the teachings of Wojcik et al. The motivation to combine these references is the other three references discuss shipping and just-in-time commitment data stored in a table matrix in a database and Wojcik et al. adds origin information to the matrix table which is a map structure. This merely adds another

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business rule to the just-in-time calculation. And this is consistent with the multivariant calculation of the Nicholls et al., Demers et al. and Desiraju et al.

15. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al. in view of Demers et al., Desiraju et al. and Kucukcakar et al. as applied to claim 12 above, and further in view of Wojcik et al.(U.S. PAT. 5758329A).

Re claim 14: Wojcik et al. does not explicitly disclose(s) wherein service levels supported by a carrier are maintained in a destination map, wherein for each destination area supported by the carrier information is stored in a location of the destination map related to the service level supported by the carrier for that destination area. However, in col. 9, lines 25-67, col. 11, line 1-15, Claims 1-19 thereof, Wojcik et al. disclose(s) destination area as associated with a table which is a map and carrier information including origin information. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Wojcik et al. The motivation to combine these references is both deal with logistics management and associated carrier delivery commitment information.

16. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al., Demers et al., Desiraju et al., Kucukcakar et al. and Wojcik et al. as applied to claim 14 above, and further in view of Wilz, Sr. et al.

Re claims 15 and 16: Nicholls et al. does not explicitly disclose(s) a destination map, postal ZIP code, and null code representing areas not served by the carrier. However, in col. 5, lines 60-67, col. 6, line 1-10, col. 26, line 65-col. 27, line 40 thereof, Wilz, Sr. et



al. disclose(s) zip code and destination and maps as well as information fields in a table which is a matrix and is also a map. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al. by adopting the teachings of Wilz, Sr. et al. The motivation to combine these references is a destination information field contains destination data and the zip code field stores zip data that compose the destination information delivery instructions and this is a mapped tabled structure. Although neither Wilz, Sr. et al. nor Nicholls et al. disclose null code, this is well known in the database art. It would be obvious to one of ordinary skill in the art at the time of the invention to include null codes as placeholders within a table in a database when there is no other value to place in the field. This enables the database table to work correctly.

17. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al., Demers et al., Desiraju et al., and Kucukcakar et al. as applied to claim 18 above, and further in view of Wojcik et al.(U.S. PAT. 5758329A).

Re claim 20: Nicholls et al. does not explicitly disclose(s) origin dependent delivery commitment information and wherein a separate destination map is provided for each origin dependent delivery commitment for that carrier, wherein each delivery map has assigned a code related to the service level supported by that carrier for each destination area supported by that carrier, and further comprising the step of determining the origin area of the package based upon its origin and determining the code associated with that origin area representing the origin dependent delivery commitment for that carrier for that origin and using this information to access a

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corresponding destination map associated with the value in the origin area for determining the service level supported by the carrier for the destination area based upon the origin area. However, in Claims 1-19, col. 8, line 55-col. 10, line 40 thereof, Wojcik et al. disclose(s) origin and delivery commitment data. Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Nicholls et al., Demers et al. and Desiraju et al. by adopting the teachings of Wojcik et al. The motivation to combine these references is the other three references discuss shipping and just-in-time commitment data stored in a table matrix in a database and Wojcik et al. adds origin information to the matrix table which is a map structure. This merely adds another business rule to the just-in-time calculation. And this is consistent with the multivariant calculation of the Nicholls et al., Demers et al. and Desiraju et al.

### ***Response to Arguments***

18. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (703) 305-4718. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (703) 308-0505. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5771.

Debra F. Charles  
Examiner  
Art Unit 3628



JEFFREY PWU  
PRIMARY EXAMINER

dfc



HYUNÉ SOUH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600